

**Rebecca Jacobstein**

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**From:** Kaczmarek, Anne (AGO)  
**Sent:** Thursday, January 24, 2013 9:47 AM  
**To:** Ballou, Joseph (AGO)  
**Subject:** RE: Call from Hampden DAs Office



Please don't let this get more complicated than we thought. If she were suffering from back injury- maybe she took some oxys?

-----Original Message-----

From: Ballou, Joseph (AGO)  
Sent: Thursday, January 24, 2013 9:16 AM  
To: Kaczmarek, Anne (AGO)  
Subject: FW: Call from Hampden DAs Office

Just talked to ADA Dillon about her cocaine case that was light by 4 grams. Sonja Farak tested it back in 2005 and the defendant has already served his sentence. The ADA thinks the difference in weight could be accounted for because of the weight of packaging, the drying of the product, and any inaccuracy in the police scale. The Defendant has won a new trial on another issue, but we have some time before the next hearing.

Joe

-----Original Message-----

From: Ballou, Joseph (AGO)  
Sent: Wednesday, January 23, 2013 4:41 PM  
To: Kaczmarek, Anne (AGO)  
Cc: Irwin, Robert (AGO)  
Subject: FW: Call from Hampden DAs Office

Anne,

We just got back from talking to the ADA. Turns out it is just one drug sample (2 defendants). The Springfield Police report shows 51 Oxycodone pills were seized on March 16, 2012. Sonja Farak conducted the analysis on May 8, 2012, but now there are 61 pills. The cert shows no controlled substances found. The police officer thinks the pills look different than the ones he seized. Unfortunately, he did not describe the pills in his report.

The codefendants are not held, and their next court date is January 31st. They were also charged with possession of cocaine and a firearm. The cocaine was also analyzed by Farak on the same date and seems normal. The reports, analysis, and search warrant are attached.

I have the numbers for the Springfield officers and can interview them later. I'm hoping it's not too pressing since no one is held.

While I was there, she told me another ADA has a cocaine case that was light by 4 grams (102 grams when weighed by the police w/packaging and yet certified as 98 grams by Farak). She was upset because they missed the 100 gram threshold. 4 grams seems like a lot for packaging. But how accurate was the police scale, etc?

I'm a little skeptical because neither of these cases seem to fit the scheme that we think Farak was perpetrating. In our cases, she was certifying the drugs correctly, then stealing/replacing drugs. They also go back a lot further than the cases we are looking at. Still, it warrants investigation of course.

Joe

---Original Message---

From: Ballou, Joseph (AGO)  
Sent: Wednesday, January 23, 2013 1:21 PM  
To: Kaczmarek, Anne (AGO)  
Subject: Re: Call from Hampden DAs Office

I'm hoping

---- Original Message ----

From: Kaczmarek, Anne (AGO)  
Sent: Wednesday, January 23, 2013 01:19 PM  
To: Ballou, Joseph (AGO); Irwin, Robert (AGO); Verner, John (AGO)  
Subject: RE: Call from Hampden DAs Office

Is there a slim possibility that in a previously written report by the submitting officer, that he described the pills?

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From: Ballou, Joseph (AGO)  
Sent: Wednesday, January 23, 2013 12:37 PM  
To: Irwin, Robert (AGO); Verner, John (AGO)  
Cc: Kaczmarek, Anne (AGO)  
Subject: RE: Call from Hampden DAs Office

I have an appointment with the ADA for 2:30. She said the Springfield Officer told her last Tuesday he submitted 51 Oxy tablets to the lab. It came back negative for controlled substance. He said he examined the bag and found that it now contains 61 tablets and that they are not the same tablets he submitted.

I'll get all of this in writing.

Joe

---Original Message---

From: Irwin, Robert (AGO)  
Sent: Wednesday, January 23, 2013 10:39 AM  
To: Verner, John (AGO)  
Cc: Ballou, Joseph (AGO); Kaczmarek, Anne (AGO)  
Subject: Re: Call from Hampden DAs Office

Agree. Joe make sure you document everything.

Sent from my iPhone

On Jan 23, 2013, at 10:37 AM, "Verner, John (AGO)" <John.Verner@MassMail.State.MA.US> wrote:

> Yes  
>  
> ----Original Message----  
> From: Ballou, Joseph (AGO)  
> Sent: Wednesday, January 23, 2013 10:35 AM  
> To: Verner, John (AGO); Kaczmarek, Anne (AGO)  
> Cc: Irwin, Robert (AGO)  
> Subject: RE: Call from Hampden DAs Office  
>  
> I can call the ADA and get more info if that's alright with everyone.  
>  
> Joe  
>  
> ----Original Message----  
> From: Verner, John (AGO)  
> Sent: Wednesday, January 23, 2013 10:33 AM  
> To: Kaczmarek, Anne (AGO); Ballou, Joseph (AGO)  
> Cc: Irwin, Robert (AGO)  
> Subject: RE: Call from Hampden DAs Office  
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> I think we should look into it.  
>  
> ----Original Message----  
> From: Kaczmarek, Anne (AGO)  
> Sent: Wednesday, January 23, 2013 10:30 AM  
> To: Ballou, Joseph (AGO)  
> Cc: Verner, John (AGO); Irwin, Robert (AGO)  
> Subject: RE: Call from Hampden DAs Office  
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> I think this is the tip of the iceberg. I think your idea of statements & seizing evidence is good. We might also want to start with Springfield PD to see if they can start an inventory of their drug evidence - whether Farak was chemist or not.  
> Bobby/John: thoughts?  
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> From: Ballou, Joseph (AGO)  
> Sent: Wednesday, January 23, 2013 10:23 AM  
> To: Kaczmarek, Anne (AGO)  
> Cc: Verner, John (AGO); Irwin, Robert (AGO)  
> Subject: Call from Hampden DAs Office  
>  
> Anne,  
>  
> I got a message from Hampden ADA Karen Southerland (413) 505-5684 regarding a Sonja Farak drug case she has with 2 defendant's. Springfield Police told her that one of the drug samples appears to have been tampered with, and one of the samples contains fewer pills than originally seized. I haven't called Ms. Southerland back yet.  
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> I'm inclined to go seize the evidence and take statements, but I'm also concerned that this may the first of many such calls.  
>  
> Joe  
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